

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 04-1511 CW

IN RE ABBOTT LABORATORIES NORVIR
ANTI-TRUST LITIGATION

ORDER DIRECTING
PARTIES TO FILE
STATUS REPORT

According to the settlement agreement in this action:

If and when the Ninth Circuit accepts the interlocutory appeal . . . and Abbott does not terminate the Settlement Agreement under the terms of the Settlement Agreement, the parties shall jointly request (a) a date by which they will file a motion for approval of Class Notice and Plan of Notice to the Class; (b) a schedule for Class Members to exclude themselves from the Class; (c) a schedule for the submission of briefing by any Class Member who seeks to object to the Settlement; and (d) a schedule for Final Approval of the Settlement. Plaintiffs will also move the Court for a schedule to submit an application for attorneys' fees, costs and incentive wards.

Docket No. 612 at ¶ 5.

Although the Ninth Circuit has accepted the interlocutory appeal, the parties have not proceeded according to this provision. The parties are therefore ordered to file within ten days either a

1 status report or appropriate motion(s).

2 IT IS SO ORDERED.

3
4 Dated: 3/5/09

Claudia Wilken

CLAUDIA WILKEN
United States District Judge